

# Wetlands Bureau Decision Report

Decisions Taken  
03/08/2004 to 03/12/2004

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2001-00142                      STONE, CINDY & DONALD**  
**DOVER    Piscataqua River**

Requested Action:

Change name to Deborah A. Gagnon Revocable Trust to construct a 6 ft. x 30 ft. permanent pier to a 3 ft. x 46 ft. ramp to 320 sq. ft. T-float, total dock length 106 ft., providing two slips on 150 ft. of frontage.

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Conservation Commission/Staff Comments:

Con. Com. did not object to application.

Inspection Date: 06/06/2001 by David A Price

APPROVE NAME CHANGE:

Change name to Deborah A. Gagnon Revocable Trust to construct a 6 ft. x 30 ft. permanent pier to a 3 ft. x 46 ft. ramp to 320 sq. ft. T-float, total dock length 106 ft., providing two slips on 150 ft. of frontage.

-Send to Governor and Executive Council-

**2002-00899                      NH DEPT OF TRANSPORTATION**  
**PETERBOROUGH    Unnamed Wetland**

Requested Action:

Impact 3.45 acres of open water, emergent shrub scrub and forested wetlands to reconstruct and widen 2 miles along Route 202 generally providing two 12 foot wide travel lanes and 8 to 10 wide paved shoulders.

Mitigation is on a 12-acre parcel along the Contoocook River at North Village and will include the construction of 3.10 acres of emergent, shrub scrub and forested wetlands with the remainder to become a Conservation Easement area.

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Inspection Date: 09/03/2002 by Lori L Sommer

APPROVE PERMIT:

Impact 3.45 acres of open water, emergent shrub scrub and forested wetlands to reconstruct and widen 2 miles along Route 202 generally providing two 12 foot wide travel lanes and 8 to 10 wide paved shoulders.

Mitigation is on a 12-acre parcel along the Contoocook River at North Village and will include the construction of 3.10 acres of emergent, shrub scrub and forested wetlands with the remainder to become a Conservation Easement area. NHDOT project #12915.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 9-26-01, as received by the Department on May 3, 2002 except as superceded by the Mitigation Plans and Report by The Smart Associates dated September 25, 2002 and received on October 16, 2002.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. This permit is contingent on the approval of a Section 401 Water Quality Certificate.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless utilized in the Mitigation Construction area.

5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
18. The impacts associated with the temporary work shall be restored immediately following construction.

Mitigation:

19. This permit is contingent upon the creation and restoration of 3.1 acres of wetlands in accordance with plans received on October 16, 2002.
20. The mitigation shall be in accordance with the Wetland Mitigation Report by The Smart Associates dated September 25, 2002 and received on October 16, 2002.
21. The principal purposes of the mitigation work is to compensate for the loss of sediment/toxicant retention functions provided by the wetlands, which will be impacted by the project and to provide wildlife habitat.
22. The applicant shall consider modifications to the mitigation proposal if through amendments filed during final design and construction work, project impacts exceed amounts represented in the approved permit.
23. A copy of the deed shall be submitted to the DES Wetlands Bureau following DOT purchase of the property. The Wetlands Bureau shall be notified of subsequent transfers of the property to another agency that has been retained for management purposes.
24. The applicant shall designate a qualified professional who will have the responsibility to assure that the mitigation area is constructed in accordance with the mitigation plan, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary. The Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a change of status during the project.
25. The schedule for mitigation construction shall be submitted to the Wetlands Bureau.
26. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
27. The Wetland Construction site shall be graded prior to the commencement of the roadway work.
28. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. In other areas the permittee considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.
29. Wetland creation and enhancement areas shall have at least 75% successful establishment of wetlands vegetation after two (2)

growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

30. Wetland creation and enhancement areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.

31. The NHDOT shall monitor the initial construction of the mitigation area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation is present upon completion of work. Site monitoring shall include a plan for removing invasive species and shall be reviewed by the Wetlands Bureau prior to implementation.

32. The NHDOT shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of each mitigation site. After at least five full growing seasons, the NHDOT shall delineate the wetlands within the mitigation site and document the delineation with data forms and depict the delineation as an overlay of the final as built plans.

#### Preservation:

33. This permit is contingent upon the execution of a conservation easement on 11.86 acres as depicted in the Wetland Mitigation Report received on October 16, 2002.

34. The conservation easements that may be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

35. Draft conservation easement language shall be submitted to the Wetlands Bureau for review and approval.

36. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot and a copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.

37. The conservation easement area shall be marked by stakes and signs indicating the location and restrictions of the area prior to the removal of the final erosion controls.

38. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of additional fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

39. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

#### With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), alteration of nontidal wetlands and surface water exceeding 20,000 sq. ft.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. The least impacting alternative chosen and the purpose of the project are met by the online upgrade.

6. The project will raise the roadway above the 100-year floodplain.

7. In addition to the overall widening, the project will provide adjustments to the horizontal and vertical profile.

8. DES Staff conducted a field inspection of the proposed project on July 21, 2002. Field inspection determined the wetland areas on either side of the roadway are of high value, the mitigation area is ideal for wetland construction and is of high value due to the adjacency to the river.

9. The principal purposes of the mitigation work is to compensate for the loss of sediment/ toxicant retention functions provided by the wetlands, which will be impacted by the project and to provide wildlife habitat.

10. Coordination meetings with the Natural Resource Agencies have provided the opportunity for comment and input on the design on at least four occasions prior to and at least once since the filing of the application.

11. The Department of Transportation held a Public Informational Meeting and a Public Hearing on the proposal.

12. There have been no written comments on the proposal since the application was filed.

13. The public hearing is waived with the finding that upon completion of the mitigation the project impacts will not significantly impair the resources of this palustrine and riverine wetland ecosystem.

**2003-00179                      BARRETT, AUBREY**  
**MILFORD   Souhegan River**

Requested Action:

Stabilize 3,000 sq. ft. of severely eroded embankment along 300 linear feet of the Souhegan River utilizing root wad (tree stumps) bioengineering techniques and loaming, seeding and planting with Speckled Alders to be maintained along the river bank.

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Conservation Commission/Staff Comments:

The Milford Conservation Commission "...voted to not recommend approval of this plan as presented [at their February 13, 2003 meeting]."

The Souhegan River Local Advisory Committee at their March 26, 2003 meeting "... recommends that the permit be denied."

Inspection Date: 04/25/2003 by Frank D Richardson

Inspection Date: 05/15/2003 by Frank D Richardson

APPROVE PERMIT:

Stabilize 3,000 sq. ft. of severely eroded embankment along 300 linear feet of the Souhegan River utilizing root wad (tree stumps) bioengineering techniques and loaming, seeding and planting with Speckled Alders to be maintained along the river bank.

With Conditions:

1. All work shall be in accordance with narrative dated January 14, 2003 and revised/photo illustrated narrative dated November 12, 2003 by Brickstone Masons, Inc. as received by the Department on January 29, 2003 and November 17, 2003 respectively together with revised plans by Brickstone Masons, Inc. dated 1/12/03 & 1/14/03 revised 3/11/04 as received by the Department on March 12, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding, mulching and the planting of Speckled Alders during the growing season, and/or by mulching with tack or netting and pinning on all exposed soil surfaces until planting can be accomplished.
8. Work shall be done during low flow.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of 300 linear feet of severely eroded river embankment for shoreline stabilization.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has expressly stated that "[this project is] to protect currently used agricultural lands from accelerated erosion and to stabilize that portion of the Souhegan riverbank for safe operation of farm vehicles and equipment..." (letter from Hugh Barrett dated January 10, 2004 and received by the DES Wetlands Bureau on January 13, 2004).
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. DES Staff conducted a field inspections of the proposed project on 04/25/03 and 05/15/03. Field inspections determined the original proposal to utilize stone rip-rap is not appropriate for this location, but that a bioengineering technique utilizing tree stump root wads would be the best solution.
7. Concerns raised by the Milford Conservation Commission and the Souhegan River Local Advisory Committee regarding this riverbank stabilization proposal have been considered with due diligence by technical staff of the NH DES Wetlands Bureau, Watershed Management and Land Resources Management Programs in approval of this project.
8. The public hearing is waived with the finding, based on field inspection and concurrence with DES staff experienced in river bank stabilization technology, that the project impacts will not significantly impair the resources of this riverine wetland ecosystem.

**2003-00642                      TARBELL, PAMELA**  
**CONCORD   Ash Brook**

Requested Action:

Dredge and fill 5982 square feet to install an aluminum arch bridge over 70 linear feet of Ash Brook and three 14-inch x 65 foot culverts within an overflow channel of Ash Brook for access in the subdivision of 52.51 acres into 9 single family residential lots.

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Conservation Commission/Staff Comments:

The conservation commission has no objections to this permit issuance.

APPROVE PERMIT:

Dredge and fill 5982 square feet to install an aluminum arch bridge over 70 linear feet of Ash Brook and three 14-inch x 65 foot culverts within an overflow channel of Ash Brook for access in the subdivision of 52.51 acres into 9 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Burd Engineering dated November 19, 2003, and revised through November 12, 2003, as received by the Department on November 19, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Wetlands staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Work shall be done during low flow.
11. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
13. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

15. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

16. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

17. Temporary cofferdams shall be entirely removed immediately following construction.

18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

19. Proper headwalls shall be constructed within seven days of culvert installation.

20. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

21. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

22. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

23. Silt fencing must be removed once the area is stabilized.

24. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

#### With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on March 2, 2004. Field inspection determined the placement of the crossing was at the narrowest portion and most appropriate area.

6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine ecosystem.

7. In their letter dated January 7, 2004, the conservation commission stated they do not object to the revised project.

8. The applicant has provided an open bottom arch culvert in an effort to avoid and minimize impacts to the riverine ecosystem.

#### **2003-01603                      PIKE INDUSTRIES INC** **MILAN    Unnamed Wetland**

#### Requested Action:

Impact 32,870 square feet of palustrine scrub-shrub and forested wetland to mine gravel and create a 32.5 acre gravel pit, and restore 26,150 square feet of previously disturbed wetlands from past logging activities. Mitigate impacts by creating a 5.9 acre mosaic of wetlands, open water and uplands within the proposed pit once the all gravel extraction has been completed (within 5 to 7 years).

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#### APPROVE PERMIT:

Impact 32,870 square feet of palustrine scrub-shrub and forested wetland to mine gravel and create a 32.5 acre gravel pit, and restore 26,150 square feet of previously disturbed wetlands from past logging activities. Mitigate impacts by creating a 5.9 acre mosaic of wetlands, open water and uplands within the proposed pit once the all gravel extraction has been completed (within 5 to 7 years).

#### With Conditions:

1. All work shall be in accordance with revised plans by Provan & Lorber, Inc. dated May 2003, as received by the Department on July 23, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
11. Work shall be done during low flow.

#### MITIGATION CONDITIONS:

12. This permit is contingent upon the creation of 4.8 acres of wetland and open water and 1.1 acres of upland in accordance with plans received on July 23, 2003.
13. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
14. The schedule for construction of the mitigation area shall occur immediately upon the completion of all gravel mining activities.
15. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
16. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
17. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
18. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
19. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
20. Wetland (creation/restoration) areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
21. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
22. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during



construction and during the early stages of vegetative establishment.

23. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. The project is considered a Major Project in accordance with NH Administrative Rule Wt 303.02(c), as impacts are greater than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has posted a \$60,000 bond with the Town of Milan to ensure that the wetland creation/mitigation site is completed once all gravel mining operations are finished (within 5 to 7 years).

**2004-00135                      DWYER, JOAN**  
**NEW CASTLE    Piscataqua River Back Channel**

Requested Action:

Attach and construct a 4 ft x 4 ft permanent platform and a 3 ft x 20 ft ramp leading to an 8 ft x 8 ft float, to an existing 4 ft x 45 ft pier along 102 feet of frontage along the Piscataqua River Back Channel in New Castle.

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Conservation Commission/Staff Comments:

Con Com requested 40-day intervention from date of Town Clerk's signature, 40 days = March 2, 2004.

Inspection Date: 02/12/2004 by Christina Altimari

APPROVE PERMIT:

Attach and construct a 4 ft x 4 ft permanent platform and a 3 ft x 20 ft ramp leading to an 8 ft x 8 ft float, to an existing 4 ft x 45 ft pier along 102 feet of frontage along the Piscataqua River Back Channel in New Castle.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated January 8, 2004, as received by the Department on January 26, 2004.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
2. Public hearing is waived based on DES staff field inspection on February 12, 2004 with the finding that the project impacts will not significantly impair the resources of this tidal river.
3. The Pease Development Authority - Division of Ports and Harbors has reviewed the plans and determined that the proposed dock does not impede navigation.
4. The NH Division of Historical Resources has been notified of the proposed project plans and has no record of any known properties of architectural, historical, archaeological, engineering, or cultural significance within the vicinity of the proposed project.
5. NH Natural Heritage Inventory (NHNHI) has record of on stated threatened plant species within the vicinity of the project, Marsh Elder (*Iva frutescens*). DES field inspection on February 12, 2004 finds that the NHNHI identified plant species will not be negatively impacted as a result of the proposed increase in the size of the float.
6. This dock is consistent with other tidal dock approvals in the seacoast region.

**2004-00193                      500 MANCHESTER STREET REALTY TRUST, STANLEY ROBBIN**  
**SEABROOK   Atlantic Ocean**

Requested Action:

Impact 1,755 square feet within a sand dune jurisdiction area for the removal of an existing single-family residence, and the construction of a new single-family residence.

\*\*\*\*\*

Inspection Date: 03/09/2004 by Christina Altimari

APPROVE PERMIT:

Impact 1,755 square feet within a sand dune jurisdiction area for the removal of an existing single-family residence, and the construction of a new single-family residence.

With Conditions:

1. All work shall be in accordance with plans by Lucy Gorham dated January 9, 2004, as received by the Department on February 6, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), as the proposed project is located on an interior lot, will not impact sand dunes.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has received written approvals for work within 20 feet of property lines from three out of the four abutters. Applicant has requested to waive the requirement for the fourth abutter. DES field in section finds that there will not be any additional negative environmental impact to this property, the property's abutters, or the surrounding area.
5. The NH Natural Heritage Inventory (NHNHI) has record of two state threatened plant species within the project vicinity, Hairy Hudsonia (*Hudsonia tomentosa*), and Tall Wormwood (*Artemisia campestris*); and record of one species of special concern within the project vicinity, Beach Grass (*Ammophila breviligulata*).
6. The NH Fish & Game Department (NHF&G) has record of one state endangered and federally threatened vertebrate species within the project vicinity, the Piping Plover (*Charadrius melodus*).
7. DES review of this application finds that none of the NHNHI or NHF&G identified species will be impacted as a result of the project.

## MINOR IMPACT PROJECT

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**2003-00406                      HARVEY, DAVID**  
**BARRINGTON   Unnamed Stream**

### Requested Action:

Dredge and fill approximately 1,4000 square feet within the banks of an unnamed perennial stream and adjacent forested wetlands to install a 12-foot x 16-foot CONSPAN bridge and approximately 1,000 square feet within the bed and banks of an intermittent stream and adjacent forested wetlands to install a 15-inch diameter culvert with a stone/concrete headwall and stone outlet protection to provide driveway access to a single-family building lot.

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### Conservation Commission/Staff Comments:

The Barrington Conservation Commission signed the original Minimum Impact Expedited Application on February 25, 2003.

Inspection Date: 03/24/2003 by Christian P Williams

### APPROVE PERMIT:

Dredge and fill approximately 1,4000 square feet within the banks of an unnamed perennial stream and adjacent forested wetlands to install a 12-foot x 16-foot CONSPAN bridge and approximately 1,000 square feet within the bed and banks of an intermittent stream and adjacent forested wetlands to install a 15-inch diameter culvert with a stone/concrete headwall and stone outlet protection to provide driveway access to a single-family building lot.

### With Conditions:

1. All work shall be in accordance with the Wetlands Crossing Site Plan by David W. Vincent, LLS dated January 27, 2003 and revised February 23, 2004, as received by the Department on March 1, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be conducted during low flow conditions.
5. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands and surface waters.
2. To avoid impacts to the bed of the unnamed perennial stream the project has been designed with a CONSPAN bridge structure.
3. DES Wetlands Bureau staff conducted a field inspection of the property on March 24, 2003. Based on observations made during the field inspection, the Department finds that the project is not considered adjacent to Barrington Prime Wetland #36.
4. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
5. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

**2003-01403                      DEMERS, DENNIS**  
**DEERFIELD   Unnamed Wetland**

Requested Action:

Approve name change to: Robert & Ellen DeSisto, 17 Eagle Crest Dr., Chester, NH 03036 per request received 3/11/04.

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Conservation Commission/Staff Comments:

The Deerfield Conservation Commission has reviewed this application, is aware of the revised plans and reports: "The DCC feels that the owners have responded very conscientiously to our concerns and accepts the proposal that they are submitting."

APPROVE NAME CHANGE:

Dredge and fill a total of 9,982 sq. ft. of palustrine forested/emergent wetlands to construct a roadway with culvert crossings and a driveway/culvert crossing to access an 11-lot residential subdivision on an 85.65 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by True Engineering dated April 21, 2003 (revised 9/11/03), as received by the Department on December 11, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2003-02453                      BRADKU INC, BRAD KUTCHER**  
**SEABROOK   Unnamed Wetland**

Requested Action:

Fill 8,008 square feet of forested wetlands for the construction of an access road to buildable uplands where six residential are proposed for construction.

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APPROVE PERMIT:

Fill 8,008 square feet of forested wetlands for the construction of an access road to buildable uplands where six residential are proposed for construction.

With Conditions:

1. All work shall be in accordance with plan sheet C3 by Jones & Beach Engineers, Inc. dated January 30, 2003, with revisions dated May 2, 2003, as received by the Department on October 29, 2003, and with plan sheets C1 and C2 by Jones & Beach Engineers, Inc. dated January 30, 2003, with revisions dated February 24, 2004, as received by the Department on March 3, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated that the proposed access point is the least impacting location for the property in question, as other access points that may require less wetlands impact, are part of abutting properties and are therefore not available as part of this project.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-02557                      PRAY, GEORGE & NATALIE**  
**ROCHESTER   Unnamed Wetland**

Requested Action:

Fill approximately 11,000 square feet of forested and wet meadow wetlands to extend two existing roadways to provide access to a 12-lot residential subdivision on approximately 29.6 acres, which represents phase IV of a larger residential development. As compensatory mitigation for wetlands impacts preserve approximately 16.14 acres of wetlands and contiguous upland buffer through execution of a conservation easement.

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Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated November 30, 2003 the Rochester Conservation Commission recommended approval of the application with the condition that the remainder of the lot be placed in conservation easement.

APPROVE PERMIT:

Fill approximately 11,000 square feet of forested and wet meadow wetlands to extend two existing roadways to provide access to a 12-lot residential subdivision on approximately 29.6 acres, which represents phase IV of a larger residential development. As

compensatory mitigation for wetlands impacts preserve approximately 16.14 acres of wetlands and contiguous upland buffer through execution of a conservation easement.

With Conditions:

1. All work shall be in accordance with the following plans (hereinafter referred to as the "Approved Plans") by Norway Plains Associates, Inc., as received by the Department on February 23, 2004:
  - a) The Subdivision Plan (Sheets S-1 and S-2) dated August 2003 and revised February 17, 2004;
  - b) The Road Plan and Profile (Sheets C-1 and C-2) dated August 2003 and revised February 16, 2004;
  - c) The Wetland Delineation Plan (Sheet W-1) dated September 2003; and
  - d) The Overall Wetlands Impact Plan (Sheet W-2) and the Wetlands Impact Plan (Sheet W-3) dated October 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Rochester Conservation Commission of the date project construction is proposed to begin.
8. Work shall be conducted during low flow conditions.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Upland Buffer and Wetland Preservation:

19. This permit is contingent upon the preservation of 16.14 acres of wetlands and contiguous upland buffer as permanent open space on Lot 11 (Rochester Tax Map 223), through execution of a conservation easement granted to the City of Rochester, as depicted on the Approved Plans (Sheets S-1 and W-2) and as described in the Declaration of Conservation Easement, as received by the Department on March 4, 2004.
20. The conservation easement to be placed on the 16.14-acre permanent open space area shall be written to run with the land, and both existing and future property owners shall be subject to the easement.
21. The plan noting the 16.14-acre permanent open space area with a copy of the final Declaration of Conservation Easement shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau within sixty (60) days of certification of the subdivision plans by the City of Rochester Planning Board.
22. The applicant shall prepare a report summarizing existing conditions within the 16.14-acre permanent open space area. Said

report shall contain photographic documentation of the permanent open space area, and shall be submitted to the DES Wetlands Bureau prior to construction to serve as a baseline for future monitoring of the area.

23. All open space areas located within fifty (50) feet of roadway construction shall be temporarily marked by monuments [stakes] prior to construction and maintained during construction to prevent accidental encroachment in the open space areas.

24. The 16.14-acre permanent open space area shall be permanently marked by monuments [stakes] prior to any activity on individual house lots.

25. Signs to indicate the location of and restrictions on the permanent open space area shall be posted no further than every 150 feet along the boundary of the open space area prior to any activity on individual house lots.

26. Activities in contravention of the final Declaration of Conservation Easement for the permanent open space lot shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands and surface waters.

2. The Department finds that reducing the length of the extension of Stonewall Drive to minimize wetlands impacts would place the Stonewall Drive cul-de-sac at an unsafe distance to the intersection with Pray Street.

3. In a letter to the DES Wetlands Bureau dated November 30, 2003 the Rochester Conservation Commission recommended approval of the application with the condition that the remainder of Lot 11 (Rochester Tax Map 223) be placed in conservation easement.

4. As compensatory mitigation for wetlands impacts, the applicant has agreed to preserve, 16.14 acres of wetlands and contiguous upland buffer as permanent open space on Lot 11 (Rochester Tax Map 223), through execution of a conservation easement granted to the City of Rochester.

5. The Department finds that the preservation as permanent open space of 16.14 acres on Lot 11 (Rochester Tax Map 223) adequately addresses the comments raised by the Rochester Conservation Commission in its letter to the Department dated November 30, 2003.

6. The proposed wetlands compensatory mitigation plan exceeds the ratios for upland buffer preservation described in the NHDES Wetlands Bureau's Draft Wetlands Compensatory Mitigation Rules.

7. The Department finds that a complete technical review of site drainage issues, including stormwater analyses for quality and quantity of stormwater runoff, has been conducted by the DES Site Specific Program. This includes, but is not limited to, review of: methods to control peak stormwater discharge rates; construction erosion controls; and methods for treatment of stormwater runoff from impervious surfaces. Issuance of DES Site Specific Permit WPS 6704 on February 25, 2004 is indicative that all requirements of Env-Ws 415 have been satisfied.

8. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.

9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

10. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

11. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09(a).

**2003-02771                      WEST, KURT & ALIDA**  
**LITCHFIELD   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 4,357 sq. ft. of previously disturbed palustrine wetlands to construct a driveway with culvert crossing to access a single family residence and restore 34,500 sq. ft. of previously impacted wetlands on a 43.245 acre parcel of land.

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Conservation Commission/Staff Comments:

The Litchfield Conservation Commission has no objection to the project.

APPROVE PERMIT:

Dredge and fill a total of 4,357 sq. ft. of previously disturbed palustrine wetlands to construct a driveway with culvert crossing to

access a single family residence and restore 34,500 sq. ft. of previously impacted wetlands on a 43.245 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson, Inc. dated 6 October 2003, as received by the Department on December 16, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-02825                      TURBOCAM  
BARRINGTON   Unnamed Wetland**

Requested Action:

Fill approximately 4,503 square feet of isolated forested wetlands to construct a roadway to provide access to a commercial development, and dredge approximately 7,544 square feet of isolated forested wetlands to construct two ponds for stormwater detention and fire protection. As compensatory mitigation for wetlands impacts preserve through execution of a conservation easement approximately 10.1 acres of forested wetlands and contiguous upland buffer on-site.

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Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated January 15, 2004 the Barrington Conservation Commission expressed its support for the application and recommended issuance of a permit for the project.

APPROVE PERMIT:

Fill approximately 4,503 square feet of isolated forested wetlands to construct a roadway to provide access to a commercial development, and dredge approximately 7,544 square feet of isolated forested wetlands to construct two ponds for stormwater detention and fire protection. As compensatory mitigation for wetlands impacts preserve through execution of a conservation easement approximately 10.1 acres of forested wetlands and contiguous upland buffer on-site.

With Conditions:

1. All work shall be in accordance with the following plans by TF Moran, Inc.:
  - a) The Wetland Impact Plan (Sheet 1 of 1) dated November 19, 2003 and revised February 11, 2004, as received by the Department on February 27, 2004;
  - b) The Existing Conditions Plan (Sheet 2 of 13) dated November 19, 2003 and revised January 12, 2004, as received by the Department on February 27, 2004; and
  - c) The Grading & Drainage Plan (Sheet 4 of 8) dated August 15, 2003, as received by the Department on December 22, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent on approval by the DES Dam Safety Program.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.



6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Barrington Conservation Commission of the date project construction is proposed to begin.
8. Work shall be conducted during low flow conditions.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Upland Buffer and Wetland Preservation:

19. This permit is contingent upon the preservation of approximately 10.1 acres of wetlands and contiguous upland buffer on-site, through execution of a conservation easement granted to the Town of Barrington, as depicted on the Grading & Drainage Plan (Sheet 4 of 8) by TF Moran, Inc. dated August 15, 2003, as received by the Department on December 22, 2003, and as described in the Conservation Easement, as received by the Department on February 27, 2004.
20. The conservation easement to be placed on the 10.1-acre preservation area shall be written to run with the land, and both existing and future property owners shall be subject to the easement.
21. The plan noting the 10.1-acre preservation area with a copy of the final Conservation Easement shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to construction.
22. The applicant shall prepare a report summarizing existing conditions within the 10.1-acre preservation area. Said report shall contain photographic documentation of the preservation area and shall be submitted to the DES Wetlands Bureau prior to construction to serve as a baseline for future monitoring of the area.
23. The preservation area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
24. Signs to indicate the location of and restrictions on the preservation area shall be posted no further than every 150 feet along the boundary of the preservation area prior to construction.
25. Prior to construction, the permittee shall notify the NHDES Wetlands Bureau of the placement of the preservation area signs.
26. Activities in contravention of the final Conservation Easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands.
2. This project, which includes construction of a 32,000 square-foot manufacturing facility, access drives, parking areas and stormwater detention/fire protection ponds, represents Phase I of a multi-phase development. Future phases of development on-site include expansion of the Turbocam manufacturing facility, and construction of the Good Shepherd School and Learning Center, and

a multi-purpose recreational facility.

3. The Department finds that while construction of the access road further south on NH Route 125 would have avoided impacts to the isolated forested wetland it would have resulted in significant disturbance to the northerly red pine plantation on-site. Moving the access road further south would also result in significant disturbance to the southerly red pine plantation on-site and the forested upland buffer adjacent to the large wetland complex associated with Mallego Brook located at the southern portion of the site when future phases of development are constructed.

4. Information submitted in support of the application indicates that untreated stormwater runoff from a culvert beneath Route 125 provides the primary source of hydrology to the isolated forested wetland to be disturbed.

5. The two proposed stormwater detention/fire protection ponds have been designed not only to treat stormwater associated with Phases I and II of development but to capture and treat roadway runoff from Route 125 that currently enters the site via the culvert beneath Route 125 and ultimately flows to the large wetland complex at the southern portion of the site.

6. As compensatory mitigation for wetlands impacts, the applicant has agreed to preserve approximately 10.1 acres of wetlands and contiguous upland buffer on-site, through execution of a conservation easement granted to the Town of Barrington.

7. In a letter to the DES Wetlands Bureau dated January 15, 2004 the Barrington Conservation Commission (ConCom) expressed its support for the application and recommended issuance of a permit for the project. In addition, the ConCom stated that the 10.1-acre on-site preservation area, which includes wetlands and contiguous upland buffer along Mallego Brook, will have "significant benefits for wildlife as well as to maintain water quality protection for the Brook, which flows into the Bellamy Reservoir, an important public water supply." Furthermore, the ConCom indicated that 10.1-acre preservation area is contiguous to other properties along Mallego Brook that have been previously protected by the Town of Barrington.

8. The proposed wetlands compensatory mitigation plan exceeds the ratios for upland buffer preservation described in the NHDES Wetlands Bureau's Draft Wetlands Compensatory Mitigation Rules.

9. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.

10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

11. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00013 MALONE, JOSEPH & LINDA**  
**BARTLETT Unnamed Stream**

**Requested Action:**

Realign 171 linear feet of drainage ditch for house construction on .9 acres.

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**Conservation Commission/Staff Comments:**

The Bartlett Board of Selectmen does not believe the application is appropriate and will not work as presented.

**DENY PERMIT:**

Realign 171 linear feet of drainage ditch for house construction on .9 acres.

**With Findings:**

**Standards for Approval:**

1. This is a Minor Impact Project per NH Code of Administrative Rule Wt 303.03(l), projects that alter the course of or disturb between 50 and 200 linear feet of an intermittent nontidal stream channel.
2. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The need for the proposed impacts shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands per Rule Wt 302.01.
4. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
5. The applicant must demonstrate by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. According to Rule Wt 302.04(d), the department shall not grant a permit if the applicant fails to document that the proposed

alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.

Findings of Fact:

7. On January 5, 2004 DES Wetlands received a Standard Dredge and Fill Application proposing to relocate 171 linear feet of drainage. The application stated that the project is needed to construct the house on high ground on the property.
8. In a letter dated January 24, 2004, The Bartlett Board of Selectmen stating that they have concerns with the project as proposed and do not believe it should be approved.
9. The plans submitted with the application illustrate adequate space within uplands for a residence to the south of the proposed house location.

Findings in support of Denial:

9. The applicant failed to provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
13. The project is therefore denied per Rule Wt 302.04(d)(1) as there are practical alternatives that would have a less adverse impact on the area under the department's jurisdiction.
14. The project is denied per Rule Wt 302.04(d)(3) as the project causes unnecessary destruction of a jurisdictional area.
15. The project is denied per Rule Wt 302.04(d)(5) as the requirements of Wt 302.03 were not met and the applicant failed to document factors as required in Wt 302.04(a).

**2004-00184                      CLARK, RUTH BELL**  
**RYE   Awcomin Marsh**

Requested Action:

Temporarily impact 2,615 square feet of developed upland tidal buffer zone and permanently impact 1,020 square feet of developed upland tidal buffer zone for the installation of a replacement septic system. Project impacts total 3,635 square feet of developed upland tidal buffer zone.

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APPROVE PERMIT:

Temporarily impact 2,615 square feet of developed upland tidal buffer zone and permanently impact 1,020 square feet of developed upland tidal buffer zone for the installation of a replacement septic system. Project impacts total 3,635 square feet of developed upland tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated January 2003, as received by the Department on February 5, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(b), projects that involve work within 50 feet of a salt marsh.
2. Per Wt 302.01, the applicant has demonstrated that the proposed impacts are needed to replace an existing septic system.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under DES' jurisdiction, as the proposed project will greatly improve the existing conditions on site.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements

for Application Evaluation, has been considered in the design of the project.

5. NH Natural Heritage Inventory (NHNHI) has record of one natural community of special concern within the project area, a Gulf of Maine Salt Marsh, and one state threatened plant species, Dwarf Glasswort (*Salicornia bigelovii*).

6. DES review of this application finds that none of the NHNHI identified species or communities will be negatively impacted as a result of this project, as the work will take place completely within the developed upland tidal buffer zone.

## MINIMUM IMPACT PROJECT

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**2000-01815                      THURLOW, STEPHEN**  
**SEABROOK   Mill Creek**

### Requested Action:

Impact a total of 5,900 sq. ft. in the developed upland tidal buffer zone to construct an addition to an existing dwelling, construct a gravel parking area, install a 7 ft. high wooden fence, and retain an existing drilled well. Restoration of 1,500 sq. ft. of wetland on the property is addressed under separate cover.

\*\*\*\*\*

### APPROVE PERMIT:

Impact a total of 5,900 sq. ft. in the developed upland tidal buffer zone to construct an addition to an existing dwelling, construct a gravel parking area, install a 7 ft. high wooden fence, and retain an existing drilled well. Restoration of 1,500 sq. ft. of wetland on the property is addressed under separate cover.

### With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated July 9, 2001 with revisions dated October 2, 2003, as received by the Department on October 8, 2003.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Applicant shall plant a 15 ft. wide area of *Rugosa* rose, 3 ft. high and planted 5 ft. on-center as depicted on the Proposed Improvements Plan by Jones & Beach Engineers, Inc. dated July 9, 2001 with revisions dated October 2, 2003, as received by the Department on October 8, 2003.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on other areas within DES Wetlands Bureau jurisdiction.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. This permit is contingent upon compliance with restoration of 1,500 sq. ft. of wetland on this property addressed under separate cover.

**2003-02059                      SCUDDER DEVELOPMENT ADVISORS**  
**BEDFORD   Unnamed Wetland**

### Requested Action:

Dredge and fill a total of 2,500 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway, driveways and drainage structures associated with the development of an elderly housing complex on a 9 acre parcel of land.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Bedford Conservation Commission voted to recommend approval of the project.

APPROVE PERMIT:

Dredge and fill a total of 2,500 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway, driveways and drainage structures associated with the development of an elderly housing complex on a 9 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by TFMoran, Inc. dated March 2003, as received by the Department on September 11, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Stormwater runoff from this site shall be managed in such a fashion that there shall be no adverse impact to the irrigation pond/water supply on the abutting lot no. 24-9 owned by Paul H. MacEwen, Jr. et al.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.

2004-00039

**EASTMAN COMMUNITY ASSOCIATION**

**GRANTHAM Unnamed Wetland**

Requested Action:

Dredge and fill 84 square feet to install a 18-inch x 28 foot culvert for driveway access to a proposed single family residence.

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Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill 84 square feet to install a 18-inch x 28 foot culvert for driveway access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Northeast Septic Designs dated December 10, 2003, and revised through February 24, 2004, as received by the Department on February 25, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square

feet in swamps or wet meadows.

**2004-00040                      DIONNE, JAMES**  
**CHICHESTER   Unnamed Wetland**

Requested Action:

Dredge and fill 2200 square feet installation of a 15-inch x 23 foot culvert for construction of a driveway to a proposed single family residence.

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Conservation Commission/Staff Comments:

The conservation commission initially intervened on this application but did not follow up with a report.

APPROVE PERMIT:

Dredge and fill 2200 square feet installation of a 15-inch x 23 foot culvert for construction of a driveway to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Carl Sherbloom dated December 10, 2003, as received by the Department on January 9, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows.

**2004-00132                      GREGG, JOHN**  
**PORTSMOUTH   Piscataqua River Back Channel**

Requested Action:

Impact 200 square feet of developed tidal buffer zone for the reconstruction of a deteriorated stone retaining wall within the same footprint.

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APPROVE PERMIT:

Impact 200 square feet of developed tidal buffer zone for the reconstruction of a deteriorated stone retaining wall within the same footprint.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine dated January 26, 2004, as received by the Department on

January 27 2004.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Work shall be done during low tide.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(c), repair and replacement of existing retaining walls that is performed "in the dry", and results in no change in height, length, location, or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has obtained both of the required approvals from abutters whose property line existing within 20 feet of the proposed repair.

**2004-00142                      RAITTO, RUSSELL**  
**FITZWILLIAM   Unnamed Wetland**

Requested Action:

Dredge and fill 1,950 square feet of jurisdictional drainage to upgrade an existing gravel road to provide access to a 7 unit condominium complex

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Conservation Commission/Staff Comments:

Conservation Commission and Planning Board recommend project utilize approved erosion and sediment controls as documented on the plans.

APPROVE PERMIT:

Dredge and fill 1,950 square feet of jurisdictional drainage to upgrade an existing gravel road to provide access to a 7 unit condominium complex

With Conditions:

1. All work shall be in accordance with plans by Clough, Harbour & Associates, LLP, Wetlands Impact plan sheet WP-1 dated January 22, 2004, and Erosion Control plan sheet C-5 dated January 6, 2004, as received by the Department on January 28, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands on this property for lot development, driveways, culverts, septic setback or other construction activities.
5. The applicant shall notify the NHDES Wetlands Bureau and the Fitzwilliam Conservation Commission in writing no less than five (5) days prior to the commencement of construction.
6. Work shall be done during low flow or non flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00211                      THE KANE COMPANY**  
**PORTSMOUTH   Unnamed Wetland**

Requested Action:

Fill 1,500 square feet of a manmade drainage ditch that is no longer in use for the construction of a 11,520 square foot educational building, a 170 space parking area, and related site improvements.

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APPROVE PERMIT:

Fill 1,500 square feet of a manmade drainage ditch that is no longer in use for the construction of a 11,520 square foot educational building, a 170 space parking area, and related site improvements.

With Conditions:

1. All work shall be in accordance with plans by Kimball Chase dated November 17, 2003, as received by the Department on February 9, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Site Specific Program.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet of wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The 1,500 square feet of wetlands to be filled are wholly contained within a manmade drainage ditch, which no longer functions in the manner for which it was built. Overall stormwater management will be improved on the property as a result of the proposed development.

**2004-00226                      SCHOR, JAMES & SHARON NAHILL**  
**MEREDITH   Lake Waukewan**



Requested Action:

Install a 224 square foot perched beach utilizing 16 feet of shoreline and install a 4 foot x 24 foot seasonal dock utilizing 4 feet of shoreline along an average of 278 feet of frontage on Lake Waukewan.

\*\*\*\*\*

Conservation Commission/Staff Comments:

ConComm signed.

APPROVE PERMIT:

Install a 224 square foot perched beach utilizing 16 feet of shoreline and install a 4 foot x 24 foot seasonal dock utilizing 4 feet of shoreline along an average of 278 feet of frontage on Lake Waukewan.

With Conditions:

1. All work shall be in accordance with plans by Matthew E. Wood, consultant for Scott Barns Landscaping, LLC as received by the Department on February 11, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work authorized shall be carried out such that impacts shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 540 ft). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
13. Seasonal pier shall be removed from the lake for the non-boating season.
14. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03 (d), construction of a single family beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided documentation that the perched beach will not impact an shoreline with a slope greater than 25%.

2004-00273

SCHEGOG, TODD

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Excavate 300 sq ft of bank to construct a 20 ft x 15 ft perched beach, surrounded by stone, utilizing 10 cu yds of sand, on an

average of 170 ft of frontage on Moultonborough Bay, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. did not comment on project

APPROVE PERMIT:

Excavate 300 sq ft of bank to construct a 20 ft x 15 ft perched beach, surrounded by stone, utilizing 10 cu yds of sand, on an average of 170 ft of frontage on Moultonborough Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revised on March 12, 2004, as received by the Department on March 12, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to construction.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a perched beach utilizing not more than 20 cubic yards of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The perched beach will not be situated in a slope greater than 25%.

FORESTRY NOTIFICATION

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2004-00321 FADDEN, AARON  
NORTH WOODSTOCK Unnamed Stream

COMPLETE NOTIFICATION:

North Woodstock Tax Map 401, Lot# 1

**2004-00335**                      **EATON-ALTON, SARAH**  
**SALISBURY**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Salisbury Tax Map 232, Lot# 4

**2004-00343**                      **COOK, ALAN**  
**WARNER**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Warner Tax Map 8, Lot# 1

**2004-00344**                      **STUFFLEBEEM, JON**  
**WAKEFIELD**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Wakefield Tax Map 5, Lot# 34

**2004-00345**                      **ROBERTS COVE INC, IRVINE ROBERTS**  
**ALTON**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Alton Tax Map 19, Lot# 36

**2004-00346**                      **STEVENS, WILLIAM**  
**CHICHESTER**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Chichester Tax Map 1, Lot# 15

**2004-00350**                      **BRADLER, HOWARD**  
**TEMPLE**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Temple Tax Map 6B, Lot# 6-44

**2004-00380**                      **MESCON, ROBIN**  
**GILFORD**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Gilford Tax Map 225, Lot# 40

**2004-00382**                      **CHRISENTON, THOMAS**  
**LYNDEBOROUGH**   **Unnamed Stream**

COMPLETE NOTIFICATION:

Lyndeboro Tax Map 5, Lot# 18, 20, 20-1, 20-2, 20-3, 21-1, 21, 23 & 24

**EXPEDITED MINIMUM**

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**2003-02282**                      **FRANKLIN, CITY OF**  
**FRANKLIN**   **Webster Lake**

Requested Action:

Remove three 4 ft by 12 ft concrete slabs and replace with natural stone in the same footprint on a public beach in Webster Lake, Franklin.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application and submitted comments with the application.

APPROVE PERMIT:

Remove three 4 ft by 12 ft concrete slabs and replace with natural stone in the same footprint on a public beach in Webster Lake, Franklin.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on March 3, 2004.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. The stone placed to replace the concrete slabs shall be limited to the same footprint of the existing concrete slabs.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be done during drawdown.
8. Work shall be done during low flow.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The proposed project addresses the safety concerns of public beach.
5. The alternative proposed addresses the local Conservation Commission concerns.

**2004-00063**                      **MERRILL, STEPHEN & JEAN**  
**FARMINGTON**   **Man-made Pond**

Requested Action:

Maintenance dredge 28,000 square feet of a man-made pond.

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Conservation Commission/Staff Comments:

Farmington Conservation Commission signed off on the expedited application.

APPROVE PERMIT:

Maintenance dredge 28,000 square feet of a man-made pond.

With Conditions:

1. All work shall be in accordance with plans by BH Keith Associates dated October 2003, as received by the Department January 13, 2004, and Soil Stabilization and Erosion Control Plan dated October 2003 and revised through February 2004, as received by the Department on February 19, 2004.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application.
3. Work shall be done during low water and no flow conditions.
4. Orange construction fencing shall be placed at the east side of pond and have a minimum 25 foot buffer of undisturbed vegetation prior to entering DES Wetland Jurisdiction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion controls shall be in place on the north and south of pond prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Dewatering of dredge spoils shall occur in designated upland area west of pond.
8. No fill shall be done for lot development.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), based on the degree of environmental impact. The dredge is of a self contained man made pond with no outlet.
2. On February 5, 2004 a site inspection with a representative of the applicant and the DES Wetlands Bureau was performed. This inspection determined the pond was man made and had no outlet, there is adequate space to operate equipment without impacting wetlands and there is an appropriate location to dewater dredged materials that should not impact water quality.
3. The isolated, man-made pond has no outlet.
4. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00190                      GENDRON, MELICIEN**  
**CONCORD   Unnamed Wetland**

Requested Action:

Dredge and fill 50 square feet of palustrine forested wetland extending the existing 15- inch culvert 2 feet to widen the existing access for a change in use to a common driveway in the subdivision of 13.126 acres into 4 single family residential lots.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Concord Conservation Commission signed the application

**APPROVE PERMIT:**

Dredge and fill 50 square feet of palustrine forested wetland extending the existing 15- inch culvert 2 feet to widen the existing access for a change in use to a common driveway in the subdivision of 13.126 acres into 4 single family residential lots.

**With Conditions:**

1. All work shall be in accordance with plans by Brown Engineering dated November 19, 2003 as received by the Department on February 9, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for all the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work shall be done during low flow.
8. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
9. No fill shall be done for lot development.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of jurisdictional wetland to be less than 3,000 sq. ft.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00192                      CD ARNOLD LLC, C/O CAROL ARNOLD**  
**LACONIA   Lake Winnepesaukee**

**Requested Action:**

Repair in kind an existing 35 ft long by 17 ft tapering to 10.5 ft wide deck, with three attached 4 ft by 20 ft seasonal docks, install a 6 ft by 5 ft wooden steps from the existing concrete pad to access the lake on Lake Winnepesaukee, Laconia.

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**Conservation Commission/Staff Comments:**

The Con Com signed Expedited Application, additionally requests for grandfathering information.

APPROVE PERMIT:

Repair in kind an existing 35 ft long by 17 ft tapering to 10.5 ft wide deck, with three attached 4 ft by 20 ft seasonal docks, install a 6 ft by 5 ft wooden steps from the existing concrete pad to access the lake on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated December 31, 2003, as received by the Department on February 9, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Repair shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Construction material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Repair shall maintain existing size, location and configuration.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. The local Conservation Commission signed the Expedited Application but questioned the grandfathered status of the structure, the DES has no records that would disprove the applicants grandfathered status.

**2004-00232                      MAROTTA, DAVID & CAROLINE T**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Repair an existing 8 ft by 64 ft permanent dock supported by 10 piles and replace an existing three piling ice cluster at the end of the dock on 150 ft of frontage on Lake Winnepesaukee, Meredith.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 8 ft by 64 ft permanent dock supported by 10 piles and replace an existing three piling ice cluster at the end of the dock on 150 ft of frontage on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans dated February 26, 2004, as received by the Department on March 9, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
8. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. This permit does not allow for any dredging of boatslips.
10. Repair shall maintain existing size, location and configuration.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v).

**2004-00233                      LIBERTY MUTAL GRP**  
**DOVER   Cocheco River**

Requested Action:

Impact 450 square feet of surface waters along the nontidal portion of the Cocheco River in Dover for the installation of an irrigation water withdrawal pump and piping system.

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APPROVE PERMIT:

Impact 450 square feet of surface waters along the nontidal portion of the Cocheco River in Dover for the installation of an irrigation water withdrawal pump and piping system.

With Conditions:

1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc. dated June 14, 1996, with revisions by Paul Lorandeanu dated February 12, 2004, as received by the Department on February 12, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Work shall be done during low tide.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
3. The irrigation pump will remain in the Cocheco River only during growing season, and will pump a maximum of 1,000 gallons per day.



4. The pump system is contained within a 6-inch diameter, T-shaped PVC pipe that is 4 feet wide the top of the T and 6 feet long.
5. The 6-inch diameter PVC pipe connecting from the pump will run accros the surface of the land, and will not be located in existing wetlands on the property.
6. This is a minimum impact project per Administrative Rule Wt 303.04(o), as this is a tempoarary intallation that will not require any excavation or soil disturbance within the Cocheco River, or 250-foot Protected Shoreland.

**2004-00234 FINDHOLT, WAYNE**  
**ENFIELD Unnamed Stream**

Requested Action:

Dredge and fill 42 square feet to install a 24-inch by 21 foot culvert within an intermittent stream for access to a proposed residential building lot.

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Conservation Commission/Staff Comments:

Enfield Conservation Commission signed the application

APPROVE PERMIT:

Dredge and fill 42 square feet to install a 24-inch by 21 foot culvert within an intermittent stream for access to a proposed residential building lot.

With Conditions:

1. All work shall be in accordance with plans by Carlisse Clough, Northeast Septic Designs dated February 2, 2004, as received by the Department on February 13, 2004.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. No fill shall be done for lot development.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq. ft. of jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00240                      WHITE, ANDREW**  
**THORNTON    Unnamed Stream**

Requested Action:

Dredge and fill 300 sq. ft. within the banks and flow channel of an intermittent stream to install a 48-in. dia. X 23 ft. culvert and construct a driveway/culvert crossing to access a single family house-lot on a 1.24 acre parcel of land.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Thornton Conservation Commission signed the application.

APPROVE PERMIT:

Dredge and fill 300 sq. ft. within the banks and flow channel of an intermittent stream to install a 48-in. dia. X 23 ft. culvert and construct a driveway/culvert crossing to access a single family house-lot on a 1.24 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Duffield Engineering & Development Company revised December 6, 2003, as received by the Department on February 11, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work shall be done during low flow.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culvert outlets shall be properly rip rapped.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of jurisdictional wetlands will be less than 3,000 sq. ft.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00274                      ROBINSON, WALTER**  
**ALTON BAY    Lake Winnepesaukee**

Requested Action:

Repair in-kind an existing 5 ft x 35 ft crib supporting an existing 6 ft x 36 ft dock attached to an existing 8 ft x 8 ft deck on an average of 120 ft of frontage on Black Point, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. signed application

APPROVE PERMIT:

Repair in-kind an existing 5 ft x 35 ft crib supporting an existing 6 ft x 36 ft dock attached to an existing 8 ft x 8 ft deck on an average of 120 ft of frontage on Black Point, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction, as received by the Department on February 20, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. All removed material shall be placed outside the jurisdiction of the Wetlands Bureau prior to new construction.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**GOLD DREDGE**

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**2004-00353                      FRENETTE, ARTHUR**  
**(ALL TOWNS)   Unnamed Stream**

**2004-00354                      FRENETTE, SHARON**  
**(ALL TOWNS)   Unnamed Stream**

**2004-00388                      BOUCHER, ALBERT**  
**(ALL TOWNS)   Unnamed Stream**

**2004-00389                      BOUCHER, REGINA**  
**(ALL TOWNS)   Unnamed Stream**

**2004-00390                      SEEHORST, GUSTAVE**  
**(ALL TOWNS)   Unnamed Stream**

**LAKES-SEASONAL DOCK NOTIF**

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**2004-00349                      FRAZIER, MALCOLM**  
**CENTER HARBOR   Squam Lake**

COMPLETE NOTIFICATION:  
Ctr Harbor Tax map 7, Lot# 67 Squam Lake

**2004-00351                      DUBUQUE II, THOMAS**  
**ENFIELD   Mascoma Lake**

COMPLETE NOTIFICATION:  
Enfield Tax Map 10, Lot# 1 Mascoma Lake

**2004-00381                      GRUNDER, MICHAEL**  
**HUDSON   Robinson Pond**

COMPLETE NOTIFICATION:  
Hudson Tax Map 35, Lot# 71 Robinson Pond

**2004-00383                      PASCARELLA, DAVID**  
**FREEDOM   Ossipee Lake**

COMPLETE NOTIFICATION:  
Freedom Tax map 31, Lot# 27 Ossipee Lake

**2004-00384                      MCCABE, BRIAN & LOREN**  
**MEREDITH   Winnisquam Lake**

COMPLETE NOTIFICATION:

Meredith Tax Map R7, Lot# 39 Winnisquam Lake

**2004-00385                      BERGERON, ROBERT**  
**EAST WAKEFIELD   Balch Lake**

COMPLETE NOTIFICATION:

East Wakefield Tax Map 55, Lot# 86 Balch Lake

**ROADWAY MAINTENANCE NOTIF**

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**2004-00352                      KEENE, CITY OF**  
**KEENE   Ditch**

**2004-00379                      NH DEPT OF TRANSPORTATION, NHDOT DIST 3**  
**CANTERBURY   Roadside Drainage Ditch**

**PERMIT BY NOTIFICATION**

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**2004-00062                      DIAMOND HEART PROPERTY MGMT LLC**  
**MILTON   Unnamed Wetland**

Requested Action:

PBN project No. 1: Installation of a culvert for access impacting 525 sq. ft. of palustrine forested wetland.

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Conservation Commission/Staff Comments:

Milton Conservation Commission did not sign application

PBN IS COMPLETE:

PBN project No. 1: Installation of a culvert for access impacting 525 sq. ft. of palustrine forested wetland.